

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:	:	Bankruptcy No. 13-22073-CMB
William R. Nieser and	:	
Kathleen A. Nieser,	:	Chapter No. 13
Debtors	:	
	:	
Paul W. McElrath, Esquire /	:	Related to Docket No. 89
McElrath Legal Holdings, LLC,	:	
Applicant	:	
vs.	:	Hearing Date and Time:
	:	March 21, 2018 at 10:00 AM
Ronda J. Winnecour, Esquire,	:	
Chapter 13 Trustee,	:	
Respondent	:	ENTERED BY DEFAULT

**ORDER**

This matter is before the Court upon the *Application for Compensation* [Docket No. 89] (the “Application”) filed by Paul W. McElrath, Esquire of McElrath Legal Holdings, LLC. Upon review of the *Application* and finding that no timely responses or objections were filed, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

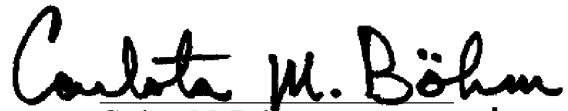
1. The *Application* is granted in the amount of \$4,676.00 for fees and expenses incurred during the period of May 1, 2013 through February 20, 2018 (inclusive of projected time to close the case), consisting of fees in the amount of \$4,395.00, and expenses in the amount of \$281.00.
2. The Debtors previously paid counsel an expense retainer of \$281 from which out-of-pocket expenses could be paid during the case. The residual balance of the expense retainer is \$0.00.
3. Previously, counsel was paid the “no look” fee of \$3,700 for services rendered in the case. A portion of the “no look” fee was paid by the Debtor as a prepetition retainer in the amount of \$669, while the remaining balance of \$3,031 is to be paid by the chapter 13 trustee through the Debtors’ confirmed plan.

4. Additional legal fees in excess of the “no look” fee remain due and owing to McElrath Legal Holdings, LLC in the amount of \$695.00. The remaining balance shall be paid as follows:

- a. Fees in the amount of \$500.00 shall be paid by the chapter 13 trustee to the extent such fees are provided for in the Debtors’ confirmed chapter 13 plan;
- b. All other fees are waived pursuant to the Application for Compensation.

5. The additional fees authorized by this *Order* may be paid through the Debtors’ chapter 13 plan provided that the Debtors amend their plan within 14 days of the date of this *Order* to increase the plan payment by an amount sufficient to provide for the increased fees. The fees shall be paid from the Debtors’ resources without decreasing the percentage or amount to be paid to other creditors through the plan.

BY THE COURT:

  
Carlota M. Boehm, **dmr**  
United States Bankruptcy Judge

Dated: March 14, 2018

FILED  
3/14/18 9:32 am  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
Western District of Pennsylvania

In re:  
William R. Nieser  
Kathleen A. Nieser  
Debtors

Case No. 13-22073-CMB  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dric  
Form ID: pdf900

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Mar 14, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 16, 2018.  
db/jdb +William R. Nieser, Kathleen A. Nieser, 1037 Old Hills Road, McKeesport, PA 15135-2133

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 16, 2018

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 14, 2018 at the address(es) listed below:

James Warmbrodt on behalf of Creditor U.S. Bank National Association, as indenture trustee,  
for the CIM Trust 2016-1, Mortgage-Backed Notes, Series 2016-1 bkgroup@kmlawgroup.com  
James Warmbrodt on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov  
Paul W. McElrath, Jr. on behalf of Joint Debtor Kathleen A. Nieser ecf@mcelrathlaw.com,  
donotemail.ecfbackuponly@gmail.com  
Paul W. McElrath, Jr. on behalf of Debtor William R. Nieser ecf@mcelrathlaw.com,  
donotemail.ecfbackuponly@gmail.com  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
William E. Miller on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION  
wmiller@sterneisenberg.com, bkecf@sterneisenberg.com

TOTAL: 7